Insurance Tactics After a Semi-Truck Crash

After a tractor-trailer crash, an injured person usually hears from an insurance company long before any court is involved. Trucking companies and their insurers tend to act quickly, and the steps they take early can shape the claim. Knowing these practices is one reason people consult an 18-wheeler accident lawyer before giving statements or signing documents.

Federal insurance minimums for trucking companies

The Federal Motor Carrier Safety Administration (FMCSA) sets minimum levels of financial responsibility in 49 CFR Part 387. A for-hire trucking company operating vehicles with a gross vehicle weight rating of 10,001 pounds or more needs at least $750,000 in public liability coverage to haul nonhazardous property in interstate commerce. Certain hazardous materials require $1,000,000 or $5,000,000, depending on the cargo. These are floors, not caps, and some trucking companies carry more coverage through excess or umbrella policies. An MCS-90 endorsement may also apply to certain claims, and a truck accident attorney will usually request every policy that could apply.

Rapid response after a crash

Many trucking companies and insurers have procedures for sending investigators, adjusters or defense lawyers to a serious crash quickly. They may photograph the scene, download the engine control module (ECM), interview witnesses and document the damage. That work is lawful, but the information goes to the trucking company first. A truck accident lawyer may send a preservation letter requesting that the company keep the truck, the ECM and ELD data, camera footage and the driver's records.

Practices an injured person may see

The insurance adjuster may call soon after the crash to request a recorded statement. In many cases there is no obligation to give one to the other side's insurer, although a person's own policy may require cooperation with their own insurer. Comments made while in pain or on medication can later be used to dispute the claim. Adjusters may also request broad medical authorizations that open records unrelated to the crash.

Quick settlement offers are another common practice. An offer may arrive before the full extent of an injury is known, and accepting truck accident lawyers it usually means signing a release that ends the claim. Insurers often argue comparative negligence, pointing to the injured driver's speed or lane position to lower the payment. They may also dispute injuries by citing preexisting conditions or gaps in medical treatment.

Surveillance and social media

Insurers sometimes review public social media posts after a crash, searching for truckaccidentlawyers.wiki photos or comments that appear to conflict with a claimed injury. In some claims they also hire investigators to film the injured person in public places. One image can be taken out of context, and a short clip rarely shows what happened before or after it. Many people limit what they post while a claim is open, and keep a simple record of their symptoms, missed work and medical appointments.

How the claim is valued

A truck injury claim can include damages for medical expenses, lost wages, reduced earning capacity, property damage, and pain and suffering. In a wrongful death case, the available claims and who may bring them depend on state law. A tractor-trailer accident lawyer usually gathers medical records and bills along with wage documents before sending a demand. Health insurers, Medicare or Medicaid may have liens or reimbursement rights that have to be resolved from a settlement.

A note on fees and outcomes

Many truck accident lawyers work on a contingency fee, which means the fee is a percentage of any recovery and is set out in a written agreement. No lawyer or article can promise a particular result, and this is general information rather than legal advice.